

1 **STATE OF IOWA**
2 **BOARD OF EDUCATIONAL EXAMINERS**
3 **Grimes State Office Building – 400 East 14th Street**
4 **Des Moines, Iowa 50319-0147**

5
6 **Minutes**

7
8 **November 7, 2008**
9

10 The Board of Educational Examiners held its monthly meeting on November 7,
11 2008. Vice Chair, Thomas Paulsen, called the meeting to order. Members attending
12 were John Aboud, Ying Ying Chen, Brad Dirks, Tammy Duehr, Greg Robinson,
13 Jean Seeland, Bev Smith and Laura Stevens. Also in attendance were Dr. George
14 Maurer, Executive Director of the Board and Julie Bussanmas, Assistant Attorney
15 General. Board Chair, Judy Jeffrey, Jeffrey Henderson and Merle Johnson were
16 unable to attend.

17
18 Jean Seeland moved, with a second by Bev Smith, to approve the agenda. **MOTION**
19 **CARRIED UNANIMOUSLY.**

20
21 Bev Smith moved, with a second by Jean Seeland, to approve the consent agenda
22 consisting of the minutes of the October 3 2008, board meeting. The minutes were
23 approved. **MOTION CARRIED UNANIMOUSLY.**

24
25 Ying Ying Chen moved, with a second by Tammy Duehr, that the Board go into
26 closed session for the purposes of discussing whether to initiate licensee
27 disciplinary proceedings and discussing the decision to be rendered in a contested
28 case, pursuant to Iowa Code sections 21.5(1)(d) and 21.5(1)(f). **MOTION**
29 **CARRIED UNANIMOUSLY.**

30
31 Ying Ying Chen moved, with a second by Tammy Duehr, that in **case number 08-**
32 **96**, the Board find that, although one or more of the allegations in the complaint
33 may be substantiated by the witnesses interviewed in the course of the

1 investigation [and/or] the documents gathered in the course of the investigation,
2 and the allegations may constitute a technical violation of the board's statute or
3 administrative rules; the evidence before the board indicates that adequate steps
4 have been taken to remedy the violation and to ensure that incidents of a similar
5 nature do not occur in the future. Taking into account these circumstances, and
6 the Board's mission to act upon those complaints which involve a threat to the
7 health and safety of students and the public, the Board will not pursue formal
8 disciplinary action in this matter.

9
10 Tammy Duehr moved, with a second by Ying Ying Chen, that in **case number 08-**
11 **98**, while the Board is concerned about the allegations, it finds that the evidence
12 gathered in the investigation, including witness statements and the documentary
13 evidence does not rise to the level necessary to take action against the licensee.
14 The Board therefore lacks probable cause to proceed with this matter. Roll call
15 vote: Aboud – yes; Chen – yes; Dirks – recused; Duehr – yes; Paulsen – yes;
16 Robinson – yes; and Seeland – yes; Smith – yes; Stevens - yes. **MOTION CARRIED.**

17
18 Ying Ying Chen moved, with a second by Tammy Duehr, that in **case number 07-**
19 **43**, the Board accept the stipulation and settlement submitted by the parties, and
20 issue an Order incorporating the agreement of the parties and imposing the agreed
21 upon sanction. Roll call vote: Aboud – yes; Chen – yes; Dirks – recused; Duehr –
22 yes; Paulsen – yes; Robinson – yes; and Seeland – yes; Smith – yes; Stevens - yes.
23 **MOTION CARRIED.**

24
25 Jean Seeland moved, with a second by Laura Stevens, to reconsider **case number**
26 **07-30**, Amir Hadzic from August 27, 2008. Thomas Paulsen asked Jean Seeland if
27 she was on the prevailing side and she responded that she was. Motion to
28 reconsider requires a two-thirds vote. Roll call vote: Aboud – yes; Chen – yes;
29 Dirks – yes; Duehr – yes; Paulsen – yes; Robinson – yes; and Seeland – yes; Smith –
30 yes; Stevens - yes. **MOTION CARRIED UNANIMOUSLY.**

31
32 Jean Seeland moved, with a second by Greg Robinson, to amend the
33 motion/language from August 27, 2008 that was passed which reads “the Board

1 initiate review of the proposed decision in **case number 07-30**, Amir Hadzic, to
2 examine whether the proposed sanction is appropriate in light of the findings.” The
3 following language should be included after the word examine to read “a) whether
4 the licensee’s conduct violated the Board’s rules of sufficient magnitude to justify
5 discipline and b) ...” **MOTION CARRIED UNANIMOUSLY.**

6
7 Jean Seeland moved, with a second by Greg Robinson, to initiate review of the
8 proposed decision in **case number 07-30**, Amir Hadzic, to examine a) whether the
9 licensee’s conduct violated the Board’s rules of sufficient magnitude to justify
10 discipline and b) whether the proposed sanction is appropriate in light of the
11 findings. Roll call vote: Aboud – yes; Chen – yes; Dirks – yes; Duehr – yes; Paulsen
12 – yes; Robinson – yes; and Seeland – yes; Smith – yes; Stevens - yes. **MOTION**
13 **CARRIED UNANIMOUSLY.**

14
15 Board Reports:

16 Greg Robinson had an opportunity to speak with teacher graduates of
17 Simpson College last week regarding the interview process and ethical
18 standards as they went from one phase of their life to another. Their
19 response was very positive and well received.

20
21 Jean Seeland reported she put information in their local association
22 newsletter regarding the importance of being licensed, renewing your license,
23 and teaching in the areas you are licensed.

24
25 Bev Smith and Jean Seeland will be teaching a school law class at UNI
26 November 17th.

27
28 Public Comment:

29 There were no public comments.

30
31 Executive Director’s Report:

32 Executive Director, Dr. George Maurer, presented the Board’s quarterly financial
33 report.

1 Dr. Maurer presented a “draft” of Code of Iowa Chapter 272.10 Fees. He asked that
2 the Board review this document as it will be brought back on the agenda in
3 December since this will be sent to the legislature.

4
5 At the end of October, Dr. Maurer, Beth Myers and Julie Bussanmas attended the
6 NASDTEC Professional Practices Institute in St. Louis. Dr. Maurer stayed an
7 additional day to attend the NASDTEC national board meeting since he is the
8 Central States Regional Director on the Board.

9
10 Susan Fischer reported on her trip to Chicago in October to attend a conference on
11 “What Will Tomorrow’s Schools Teach” to learn about 21st century skills, globalism
12 and technology and how it relates to certification/licensure for teachers to teach
13 the core curriculum.

14
15 Geri McMahon reported on “The 2008 Iowa Summit on Collaborative Efforts to Meet
16 the Needs of All Iowa Learners: Dialogue Between Educator Preparation and the
17 PK-12 Education Community” which she and Mike Cavin attended in October in
18 Ames.

19
20 Dr. Maurer reminded the Board that on November 17th, the Governor is having a
21 board orientation for new members. Laura Stevens will be attending the
22 orientation.

23
24 Dr. Maurer informed the Board that Board packets will be sent out electronically so
25 that Board members can review the packet in advance. The hard copy will still be
26 sent UPS. The electronic copy will include public information only. Nothing will be
27 sent electronically regarding professional practices.

28
29 There will be five new Board members as of May 1st and because of this, Dr. Maurer
30 asked that we review the various committees now so there will be an experienced
31 Board member on each committee when the new Board members are appointed.

1 Dr. Maurer shared with the Board a letter he sent to Christy Hickman, Staff
2 Counsel, Iowa State Education Association (ISEA), regarding the denial of a
3 Statement for Professional Recognition (SPR) for an athletic trainer.

4
5 The Legislative Reception is scheduled for Thursday, February 5th, 7-9 a.m.
6 The Board will meet prior to the reception on Wednesday, February 4th, 6:30-
7 9:30 p.m. The location of the meeting is TBA.

8
9 At the last work session there was discussion regarding receiving
10 input/feedback from our constituent groups regarding licensure
11 requirements. Dr. Maurer presented a “draft” of the survey to the Board to
12 see if this is the direction the Board would like to go.

13
14 A sketch was passed around to show Board members the new table which
15 will be purchased for the State Board Room.

16
17 Items for Discussion:

18 The proposal to create a special services professional license – Chapter 27 was
19 discussed and will be brought back to the December meeting for noticing.

20
21 282 – Amend sections in Chapter 14 and 15 to accommodate Chapter 27 was
22 discussed and will be brought back to the December meeting for noticing.

23
24 282 – Amend Chapter 14.122 NCATE accredited program – Repeal was discussed
25 and will be brought back to the December meeting for noticing.

26
27 Report:

28 Dr. Maurer presented the Board Goals Report.

29
30 Petitions for Waiver:

31 Greg Robinson moved, with a second by Bev Smith, that in **PFW 08-34**, Steven J.
32 Hisler, the Board deny the Petition for Waiver. Roll call vote: Aboud – yes; Chen –

1 yes; Dirks – yes; Duehr – yes; Paulsen – yes; Robinson – yes; and Seeland – yes;
2 Smith – yes; Stevens - yes. **MOTION CARRIED UNANIMOUSLY.**

3

4 The Board discussed **PFW 08-36**, Wade Alan Davis. Additional information was
5 requested by the Board.

6

7 There being no further business, Tom Paulsen adjourned the meeting.

8

9 The Board held a work session after lunch.